

R280-204-7. Miscellaneous Provisions.**A. Confidentiality:**

(1) All criminal background information received by the USOR shall be secured by the designated USOE section.

(2) All criminal background check records maintained by USOR and USOE are protected under Section 63-2-304 with the exception of public employee information under Section 63-2-201.

B. The USOR or USOE has no liability for any errors or misinformation received from the BCI as a result of a criminal fingerprint background check. Correction of any misinformation is the responsibility of the fingerprint background check applicant.

KEY: criminal background checks

Date of Enactment or Last Substantive Amendment: 2006

Authorizing, and Implemented or Interpreted Law: 53A-24-103; 53A-1-401(3)

♦ ————— ♦

Environmental Quality, Air Quality
R307-204
Emission Standards: Smoke
Management

NOTICE OF PROPOSED RULE
(Amendment)

DAR File No.: 28501

FILED: 02/09/2006, 10:29

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Air Quality Board is proposing to revise Rule R307-204 to enhance Utah's smoke management program by providing land managers more flexibility when igniting "small prescribed fires" and "small prescribed pile fires (de minimis)" with minimal risk. In addition, to better protect the public health, revisions to this rule will require land managers to submit more information for "wildland fire use events," such as distance to nearest community, elevation of fire, and fire's airshed number. Finally a new section was added to clarify the procedures for igniting "large prescribed pile fires," which will aid in reducing the risk of wildland fires.

SUMMARY OF THE RULE OR CHANGE: Land managers are given more flexibility when igniting "small prescribed fires" and "small prescribed pile fires (de minimis)" with minimal risk. Currently land managers cannot ignite these types of fires when the clearing index is below 500. When the Clearing Index of 500 was originally established there was little scientific information available. This proposal will allow land managers to ignite these types of fires when the clearing index is between 500 and 400 with approval of the executive secretary. Allowing these types of fires will help land managers reduce excess fuel and thus reduce the potential for wildfires. In addition, these types of fires are small and contained, making them easier to monitor and control. Further, because these fires burn very hot and efficiently, they produce fewer emissions. Research on pile burning has

found that particulates produced by pile burning are nearly half of that from broadcast burning (Smoke Management Guide for Prescribed and Wildland Fire, 2001 Edition, Ottmar, Roger D., 2001). Revisions to this rule will require land managers to submit more information about "wildland fire use events," such as distance to nearest community, elevation of fire, and fire's airshed number. This proposal includes a new section outlining procedures for igniting "large prescribed pile fires." Additional grammatical and technical revisions were made throughout the rule.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-2-104(1)(a)

ANTICIPATED COST OR SAVINGS TO:

♦ **THE STATE BUDGET:** Expenses of staffing the smoke management program are shared by state and federal agencies, with the federal agencies paying all of the salary. There may be a savings to the federal and state governments in reduced costs for wildfire suppression, by reducing the available fuels and thus reducing the potential for wildfires.

♦ **LOCAL GOVERNMENTS:** Local governments will not be affected by the rule unless they manage wildlands or use prescribed fire. If so, their costs will approximate those of other persons--see "Compliance costs for affected persons" below.

♦ **OTHER PERSONS:** Most of the paperwork required by this rule is already used by governmental land managers. The proposed revisions will better protect the public by reducing fuels, which will result in lower intensity wildfires. In addition, these revisions may result in some savings in reduced illness, emergency room visits, lost work and school time for sensitive individuals such as asthmatics and the elderly. However, those benefits are not quantifiable.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Most of the paperwork required by this rule is already used by governmental land managers. The proposed revisions will better protect the public by reducing fuels, which will result in lower intensity wildfires. In addition, these revisions may result in some savings in reduced illness, emergency room visits, lost work and school time for sensitive individuals such as asthmatics and the elderly. However, those benefits are not quantifiable.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Land managers are working to restore healthy ecosystems, and are including the use of fire as a management tool. This rule ensures that public health is better protected. Very few businesses will be affected by the rule, and their costs are uncertain. Dianne R. Nielson, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ENVIRONMENTAL QUALITY
AIR QUALITY
 150 N 1950 W
 SALT LAKE CITY UT 84116-3085, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Mat E. Carille at the above address, by phone at 801-536-4136, by FAX at 801-536-0065, or by Internet E-mail at MCARLILE@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM ON 03/31/2006

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 3/16/2006 at 2:00 PM, DEQ Building, Main Conference Room, 150 N 1950 W, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 04/06/2006

AUTHORIZED BY: M. Cheryl Heying, Planning Branch Manager

R307. Environmental Quality, Air Quality.**R307-204. Emission Standards: Smoke Management.****R307-204-3. Definitions.**

The following additional definitions apply only to R307-204.

"Annual Emissions Goal" means the annual establishment of a planned quantitative value of emissions reductions from prescribed fire.

"Best Management Practices" means smoke management and dispersion techniques used during a prescribed fire or a wildland fire use ~~(d) grant for resource benefits~~ that affect the direction, duration, height or density of smoke.

"Burn Plan" means the plan required for each fire ignited by managers or allowed to burn.

"Burn Window" means the period of time during which the prescribed fire is scheduled for ignition.

"Emission Reduction Techniques (ERT)" mean techniques for controlling emissions from prescribed fires to minimize the amount of emission output per unit or acre burned.

"Federal Class I Area" means any Federal land that is federally classified or reclassified Class I.

"Fire Prescription" means the measurable criteria that define conditions under which a prescribed fire may be ignited, guide selection of appropriate management responses, and indicate other required actions. Prescription criteria may include but are not limited to safety, economic, public health, environmental, geographic, administrative, social, or legal considerations.

"Land Manager" means any federal, state, local or private entity that owns, administers, directs, oversees or controls the use of public or private land, including the application of fire to the land.

"Non-burning Alternatives to Fire" means non-burning techniques that are used to achieve a particular land management objective, including but not limited to reduction of fuel loading, manipulation of fuels, enhancement of wildlife habitat, and ecosystem restructuring. These alternatives are designed to replace the use of fire for at least the next five years.

"Particulate Matter" means the liquid or solid particles such as dust, smoke, mist, or smog found in air emissions.

"Pile" means natural materials or debris resulting from some type of fuels management practice that have been relocated either by hand or machinery into a concentrated area.

"Pile Burning" means burning of individual piles.

"Prescribed Fire or Prescribed Burn" means any fire ignited by management actions to meet specific objectives, such as achieving resource benefits.

"Particulate Matter" means the liquid or solid particles such as dust, smoke, mist, or smog found in air emissions.

"Smoke Sensitive Receptors" means population centers such as towns and villages, campgrounds and trails, hospitals, nursing homes, schools, roads, airports, Class I areas, nonattainment and maintenance areas, areas whose air quality monitoring data indicate pollutant levels that are close to health standards, and any other areas where smoke and air pollutants can adversely affect public health, safety and welfare.

"Wildland" means an area in which development is essentially non-existent, except for pipelines, power lines, roads, railroads, or other transportation or conveyance facilities. Structures, if any, are widely scattered.

"Wildland Fire" means any non-structure fire, other than prescribed fire, that occurs in the wildland.

"Wildland Fire Use ~~(d) for Resource Benefits (WFLRB)~~ Event" means naturally ignited wildland fire that is managed to accomplish specific pre-stated resource management objectives in predefined geographic areas.

"Wildland Fire Implementation Plan" means the plan required for each fire that is allowed to burn.

"Wildland Fire Implementation Plan Stage I" means the initial wildland fire planning document. It is developed for fires with a low potential of spread and negative impacts.

"Wildland Fire Implementation Plan Stage II" means a more detailed wildland fire planning document. It is developed for larger more active fires with a greater potential for geographic extent.

R307-204-4. General Requirements.

(1) Management of On-Going Fires. If, after consultation with the land manager, the executive secretary determines that a prescribed fire, wildland fire use ~~(d) for resource benefits~~ grant, wildland fire, or any smoke transported from other locations, is degrading air quality to levels that could violate the National Ambient Air Quality Standards or burn plan conditions, the land manager shall promptly stop igniting additional prescribed fires.

(2) Emissions Calculations. In calculating emissions information required under R307-204, each land manager shall use emission factors approved by the executive secretary.

(3) Non-burning Alternatives to Fire. Beginning in 2004 and annually thereafter, each land manager shall submit to the executive secretary by March 15 a list of areas treated using non-burning alternatives to fire during the previous calendar year, including the number of acres, the specific types of alternatives used, and the location of these areas.

(4) Annual Emissions Goal. The executive secretary shall provide an opportunity for an annual meeting with land managers for the purpose of evaluation and adoption of the annual emission goal. The annual emission goal shall be developed in cooperation with states, federal land management agencies and private entities, to control prescribed fire emissions increases to the maximum feasible extent.

(5) Long-term Fire Projections. Each land manager shall provide to the executive secretary by March 15 annually long-term projections of future prescribed fire ~~and wildland fire used for resource benefits~~ activity for annual assessment of visibility impairment.

R307-204-6. Small Prescribed Fires.

(1) A prescribed fire that covers less than 20 acres per burn ~~and results in air emissions less than 0.5 tons of particulate matter per day~~ shall be ignited only when the clearing index is 500 or greater.

(2) A prescribed fire that covers less than 20 acres per day may be ignited when the National Weather Service Clearing Index is between 500 and 400 under a conditional basis with approval of the executive secretary.

(a) The prescribed fire should be recorded as a *de minimis* prescribed fire on the Utah Annual Burn Schedule.

(b) The Land Manager is required to notify the executive secretary by fax, e-mail, or phone prior to ignition of the burn when burning below a National Weather Service Clearing Index is between 500 and 400.

(c) Additional reporting requirements including hourly photographs, a record of any complaints, hourly meteorological conditions and an hourly description of the smoke plume must be recorded and submitted.

R307-204-7. Small Prescribed Pile Fires (de minimis).

(1) Pile burns covering up to 30,000 cubic feet per day shall be ignited only when the clearing index is 500 or greater.

(2) Pile burns covering up to 30,000 cubic feet per day may be ignited when the National Weather Service Clearing Index is between 500 and 400 under a conditional basis with approval of the executive secretary.

(a) The pile fire should be recorded as a *de minimis* prescribed fire on the Utah Annual Burn Schedule.

(b) The Land Manager is required to notify the executive secretary by fax, e-mail, or phone prior to ignition of the burn when burning below a National Weather Service Clearing Index is between 500 and 400.

(c) Additional reporting requirements including hourly photographs, a record of any complaints, hourly meteorological conditions and an hourly description of the smoke plume must be recorded and submitted.

R307-204-7.5. Large Prescribed Fires.

(1) Burn Plan. For a prescribed fire that covers 20 acres ~~or more per burn or results in air emissions of 0.5 tons or more of particulate matter per day~~, the land manager shall submit to the executive secretary a burn plan, including a fire prescription, upon request.

(2) Pre-Burn Information. For a prescribed fire that covers 20 acres or more per burn ~~or results in air emissions of 0.5 tons or more of particulate matter per day~~, the land manager shall submit pre-burn information to the executive secretary at least two weeks before the beginning of the burn window. The pre-burn information shall be submitted to the executive secretary on the form provided by the Division of Air Quality by fax, electronic mail or postal mail and shall include the following information:

(a) The three-letter ID, project number, date submitted, name of person submitting the form, burn manager, and phone numbers;

(b) Summary of burn objectives, such as restoration or maintenance of ecological functions or indication of fire resiliency;

(c) Any sensitive receptor within 15 miles, including any Class I or nonattainment or maintenance area, and distance and direction in degrees from the project site;

(d) Planned mitigation methods;

(e) The smoke dispersion or visibility model used and results;

(f) The estimated amount of total particulate matter anticipated;

(g) A description of how the public and land managers in neighboring states will be notified;

(h) A map ~~(preferably with a scale of 1:62,500)~~ depicting both the daytime and nighttime smoke path and down-drainage flow for a minimum of 15 miles from the burn site with smoke-sensitive areas delineated;

(i) Safety and contingency plans for addressing any smoke intrusions; and

(j) If the fire is in a nonattainment or maintenance area and is subject to general conformity (42 U.S.C. 7506(c)), a copy of the conformity demonstration showing that the fire meets the requirements of the Clean Air Act and conforms with the applicable State Implementation Plan.

(k) Planned use of emission reduction techniques to support establishment of an annual emissions goal, if not already submitted under R307-204-5.

(l) Any other information needed by the executive secretary for smoke management purposes, or for assessment of contribution to visibility impairment in any Class I area.

(3) Burn Request.

(a) The land manager shall submit to the executive secretary a burn request on the form provided by the Division of Air Quality by ~~10:00 a.m.~~ 1000 hours at least two business days before the planned ignition time. The form may be submitted by fax or electronic mail, and must include the following information:

(i) The three-letter identification and project number consistent with the annual burn schedule required in R307-204-5(1) above;

(ii) The date submitted and by whom; and

(iii) The burn manager conducting the burn and phone numbers.

(b) No prescribed fire requiring a burn plan shall be ignited before the executive secretary approves or conditionally approves the burn request.

(c) If a prescribed fire is delayed, changed or not completed following burn approval, any significant changes in the burn plan shall be submitted to the executive secretary before the burn request is submitted. If a prescribed fire is not carried out, the land manager shall list the reasons on the burn request form provided by the Division of Air Quality and shall submit the form by fax or electronic mail to the executive secretary by ~~5:00 p.m.~~ 1000 hours the following business day.

(4) Daily Emissions Report. By ~~5:00 p.m.~~ 1000 hours on the day following the prescribed burn, for each day of prescribed fire activity covering ~~50~~ 20 acres or more, the land manager shall submit to the executive secretary a daily emission report on the form provided by the Division of Air Quality including the following information:

(a) The three-letter identification and project number consistent with the annual burn schedule required in R307-204-5(1) above;

(b) The date submitted and by whom;

(c) The start and end dates and times of the burn;

(d) Emission information including black acres, tons fuel consumed per acre, and tons particulate matter produced;

(e) Public interest regarding smoke;

(f) Daytime ventilation;

(g) Nighttime smoke behavior;

(h) Evaluation of the techniques used by the land manager to reduce emissions or manage the smoke from the prescribed burn; and

(i) Emission reduction techniques applied.

(5) Emission Reduction and Dispersion Techniques. Each land manager shall take measures to prevent smoke impacts. Such measures may include best management practices such as dilution, emission

reduction or avoidance in addition to others described in the pre-burn information form provided by the Division of Air Quality. An evaluation of the techniques shall be included in the daily emissions report required by (4) above.

(6) Monitoring. Land managers shall monitor the effects of the prescribed fire on smoke sensitive receptors and on visibility in Class I areas, as directed by the burn plan. Hourly visual monitoring and documentation of the direction of the smoke plume shall be recorded on the form provided by the Division of Air Quality or on the land manager's equivalent form. Complaints from the public shall be noted in the project file. Records shall be available for inspection by the executive secretary for six months following the end of the fire.

R307-204-9. Large Prescribed Pile Fires.

(1) **Burn Plan.** For a prescribed pile fire that exceeds 30,000 cubic feet per day, the land manager shall submit to the executive secretary a burn plan, including a fire prescription, upon request.

(2) **Pre-Burn Information.** For a prescribed pile fire that exceeds 30,000 cubic feet or more per burn, the land manager shall submit pre-burn information to the executive secretary at least two weeks before the beginning of the burn window. The pre-burn information shall be submitted to the executive secretary on the form provided by the Division of Air Quality by fax, electronic mail or postal mail and shall include the following information:

(a) The three-letter ID, project number, date submitted, name of person submitting the form, burn manager, and phone numbers;

(b) Summary of burn objectives, such as restoration or maintenance of ecological functions or indication of fire resiliency;

(c) Any sensitive receptor within 15 miles, including any Class I or nonattainment or maintenance area, and distance and direction in degrees from the project site;

(d) Planned mitigation methods;

(e) The smoke dispersion or visibility model used and results;

(f) The estimated amount of total particulate matter anticipated;

(g) A description of how the public and land managers in neighboring states will be notified;

(h) A map depicting both the daytime and nighttime smoke path and down-drawage flow for a minimum of 15 miles from the burn site with smoke-sensitive areas delineated;

(i) Safety and contingency plans for addressing any smoke intrusions; and

(j) If the fire is in a nonattainment or maintenance area and is subject to general conformity (42 U.S.C. 7506(c)), a copy of the conformity demonstration showing that the fire meets the requirements of the Clean Air Act and conforms with the applicable State Implementation Plan.

(k) Planned use of emission reduction techniques to support establishment of an annual emissions goal, if not already submitted under R307-204-5.

(l) Any other information needed by the executive secretary for smoke management purposes, or for assessment of contribution to visibility impairment in any Class I area.

(3) Burn Request.

(a) The land manager shall submit to the executive secretary a burn request on the form provided by the Division of Air Quality by 1000 hours at least two business days before the planned ignition time. The form may be submitted by fax or electronic mail, and must include the following information:

(i) The three-letter identification and project number consistent with the annual burn schedule required in R307-204-5(1) above;

(ii) The date submitted and by whom; and

(iii) The burn manager conducting the burn and phone numbers;

(b) No prescribed pile fire requiring a burn plan shall be ignited before the executive secretary approves or conditionally approves the burn request.

(c) If a prescribed pile fire is delayed, changed or not completed following burn approval, any significant changes in the burn plan shall be submitted to the executive secretary before the burn request is submitted. If a prescribed fire is not carried out, the land manager shall list the reasons on the burn request form provided by the Division of Air Quality and shall submit the form by fax or electronic mail to the executive secretary by 0800 hours the following business day.

(4) **Daily Emissions Report.** By 0800 hours on the day following the prescribed pile burn, for each day of pile fire activity exceeding 30,000 cubic feet, the land manager shall submit to the executive secretary a daily emission report on the form provided by the Division of Air Quality including the following information:

(a) The three-letter identification and project number consistent with the annual burn schedule required in R307-204-5(1) above;

(b) The date submitted and by whom;

(c) The start and end dates and times of the burn;

(d) Emission information including black acres, tons fuel consumed per acre, and tons particulate matter produced;

(e) Public interest regarding smoke;

(f) Daytime ventilation;

(g) Nighttime smoke behavior;

(h) Evaluation of the techniques used by the land manager to reduce emissions or manage the smoke from the prescribed pile burn; and

(i) Emission reduction techniques applied.

(5) **Emission Reduction and Dispersion Techniques.** Each land manager shall take measures to prevent smoke impacts. Such measures may include best management practices such as dilution, emission reduction or avoidance in addition to others described in the pre-burn information form provided by the Division of Air Quality. An evaluation of the techniques shall be included in the daily emissions report required by (4) above.

(6) Monitoring. Land managers shall monitor the effects of the prescribed pile fire on smoke sensitive receptors and on visibility in Class I areas, as directed by the burn plan. Hourly visual monitoring and documentation of the direction of the smoke plume shall be recorded on the form provided by the Division of Air Quality or on the land manager's equivalent form. Complaints from the public shall be noted in the project file. Records shall be available for inspection by the executive secretary for six months following the end of the fire.

R307-204-[8]10. Requirement for Wildland Fire [with Potential for Use Event][for Resource Benefits].

(1) Burn Approval Required.

(a) The land manager shall notify the executive secretary [by the close of business of the first day of any wildland fire that covers 20 acres or more. The notification shall include the following information] of any potential wildland fire use (WFLU) event having a wildland fire implementation plan (WFIP) Stage I. The following information will be provided:

(i) UTM coordinates of the fire;

(ii) Active burning acres;

(iii) Probable fire size and daily anticipated growth in acres;

(iv) Types of wildland fuel involved;

(v) An emergency telephone number that is answered 24 hours a day. [end]

(vi) Wilderness or Resource Natural Area designation, if applicable[.];

(vii) Distance to nearest community;

(viii) Elevation of fire; and

(ix) Fire's airshed number.

(b) ~~The following information shall be submitted to the executive secretary 48 hours after submittal of the information required by (1)(a) above:~~ The Land Managers shall notify the executive secretary of any potential wildland fire use (WFLU) event covering more than 20 acres or having a WFIP Stage II. In addition to the information required for a WFLU with a WFIP Stage I, the following additional information will be provided to the executive secretary as it is being developed:

(i) WFIP Stage II (W) wildland fire implementation plan and anticipated emissions;

(ii) A map, ~~preferably with a scale of 1:62,500,~~ depicting both the daytime and nighttime smoke path and down-drawage flow for a minimum of 15 miles from the burn site with smoke-sensitive areas delineated; and

(iii) Additional computer smoke modeling, if requested by the executive secretary.

(c) The executive secretary's approval of the smoke management element of the wildland fire implementation plan shall be obtained before managing the fire as a wildland fire use ~~(d) grant (for resource benefits).~~

(2) Daily Emission Report for ~~(W) wildland (F) fire (U) use (d) event (for Resource Benefits).~~ By ~~8:00 a.m.~~ 0800 hours on the business day following fire activity covering ~~50~~ 20 acres or more, the land manager shall submit to the executive secretary the daily emission report on the form provided by the Division of Air Quality, including the following information:

(a) The three-letter identification, project number, Air Quality Basin, and name of the burn manager;

(b) UTM coordinate;

(c) Dates and times of the start and end of the burn;

(d) Black acres by wildland fuel type;

(e) Estimated proportion of wildland fuel consumed by wildland fuel type;

(f) Proportion of moisture in the wildland fuel by size class;

(g) Emission estimates;

(h) Level of public interest or concern regarding smoke; and

(i) Conformance to the wildland fire implementation plan.

(3) Monitoring. The land manager shall monitor the effects of smoke on smoke sensitive receptors and visibility in Class I areas as directed by the wildland fire implementation plan. Complaints from the public shall be recorded in the project file. Records shall be available for inspection by the executive secretary for six months following the end of the fire.

KEY: air quality, wildland fire, smoke, land manager

Date of Enactment or Last Substantive Amendment: ~~July 7, 2005~~ 2006

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 28502

FILED: 02/09/2006, 13:18

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The amendments allow users to notify the Division of Air Quality (DAQ) electronically when demolition or renovation projects that disturb asbestos are to be undertaken. Nonsubstantive editorial corrections are also made.

SUMMARY OF THE RULE OR CHANGE: In Section R307-801-12, add language to allow notification of DAQ through the DAQ electronic notification system when demolition or renovation projects that disturb asbestos are planned. The rule currently allows notification in person, by the U.S. Postal Service, or by commercial delivery services, and those notification methods will remain in the revised rule. In Subsection R307-801(2)(b), clarify that the waiting period is 10 WORKING days, not calendar days, to be consistent with Subsection R307-801-11(1)(a); in Subsection R307-801-14(4), correct the citation from Section R307-801-8 to Section R307-801-14; in Subsection R307-801-15(1), delete the acronym ACWM and insert ASBESTOS WASTE.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-2-104(1) (d) and 19-2-104(3)(r) through (t), 40 CFR Part 61 Subpart M, and 40 CFR Part 763 Subpart E

ANTICIPATED COST OR SAVINGS TO:

✦ THE STATE BUDGET: The electronic notification system has been created from a grant from the federal EPA and with DAQ asbestos program fees. There will be small ongoing savings to DAQ, because notification forms will be stored electronically and not in paper files.

✦ LOCAL GOVERNMENTS: Local governments are not affected by this change because they do not conduct demolition or renovation projects that disturb asbestos.

✦ OTHER PERSONS: Electronic notification will be quicker, thus saving time and money for asbestos contractors. However, the amounts saved are not quantifiable. The other changes to the rule do not affect costs or savings, other than that making the rule language clearer will save time for affected persons. Again, this benefit is small and not quantifiable.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Electronic notification will be quicker, thus saving time and money for asbestos contractors. However, the amounts saved are not quantifiable. The other changes to the rule do not affect costs or savings, other than making the rule language clearer will save time for affected persons. Again, this benefit is small and not quantifiable.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Electronic notification saves time and money for the business community, and, in many cases, is also more convenient. Dianne Nielson, Executive Director

Environmental Quality, Air Quality R307-801 Asbestos